



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q90948

Izumu SAITO, et al.

Appln. No.: 10/553,639

Group Art Unit: Unassigned

Confirmation No.: Unassigned

Examiner: Unassigned

Filed: October 18, 2005

For: NOVEL COSMID VECTOR

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) Before the mailing date of the first Office Action on the merits or (2) Before the mailing date of the first Office Action

INFORMATION DISCLOSURE STATEMENT

U.S. Application No.: 10/553,639

Attorney Docket No. Q90948

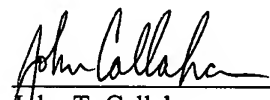
after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

Partial English translations of foreign language documents are being submitted herewith, and therefore no concise explanation for such foreign language documents is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: March 9, 2006

Substitute for Form 1449 A & B/PTO			Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>			Application Number	10/553,639
			Confirmation Number	Unassigned
			Filing Date	October 18, 2005
			First Named Inventor	Izumu SAITO
			Art Unit	Unassigned
			Examiner Name	Unassigned
			Attorney Docket Number	Q90948
Sheet	1	of		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 2002/0058045	A1	05-16-2002	Mizuguchi et al.
		US 5,700,470		12-23-1997	Saito et al.
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		JP	11-332560	A	12-07-1999	Oyo Seikagaku Kenkyusho	Partial
		EP	1 201 761	A1	05-02-2002	Japan Science & Technology Corp.	Yes
		WO	01/59071	A2	08-16-2001	Genvec Inc.	Yes

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>	
		HISANORI KOJIMA et al., Generation of Recombinant Adenovirus Vector with Infectious Adenoviral Genome Released from Cosmid-Based Vector by Simple Procedure Allowing Complex Manipulation, Biochemical and Biophysical Research Communications, Vol. 246, Article No. RC988706, 1998, pages 868-872, Academic Press.	Yes	
		XAVIER DANTHINNE, New Vectors for the Construction of Double Recombinant Adenoviruses, Journal of Virological Methods, Vol. 81, 1999, pages 11-20, Elsevier Science B.V.	Yes	
		HIROYUKI MIZUGUCHI et al., A Simple Method for Constructing E1- and E1/E4-Deleted Recombinant Adenoviral Vectors, Human Gene Therapy, Vol. 10, August 10, 1999, pages 2013-2017, Mary Ann Liebert, Inc.	Yes	
		KATHLEEN L. BERKNER et al., Generation of Adenovirus by Transfection of Plasmids, Nucleic Acids Research, Vol. 11, No. 17, 1983, pages 6003-6020, IRL Press Limited, Oxford, England.	Yes	
		SANAE MIYAKE et al., Efficient Generation of Recombinant Adenoviruses Using Adenovirus DNA-terminal Protein Complex and a Cosmid Bearing the Full-length Virus Genome, Proc. Natl. Acad. Sci. USA, Vol. 93, February 1996, pages 1320-1324, Medical Sciences.	Yes	
		ANDREW J. BETT et al., An Efficient and Flexible System For Construction of Adenovirus Vectors with Insertions or Deletions in Early Regions 1 and 3, Proc. Natl. Acad. Sci. USA, Vol. 91, September 1994, pages 8802-8806, Medical Sciences.	Yes	
		HIROYUKI MIZUGUCHI et al., Efficient Construction of a Recombinant Adenovirus Vector by an Improved <i>In Vitro</i> Ligation Method, Human Gene Therapy, Vol. 9, November 20, 1998, pages 2577-2583, Mary Ann Liebert, Inc.	Yes	
		The 25 <sup>th</sup> Annual Meeting of the Molecular Biology Society of Japan, Program and Abstracts, Pacifico Yokohama, December 11-14, 2002, Yokohama, Japan (6 pages).	Partial	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.